

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

Plaintiff,

V.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants,

and

METROPOLITAN TRANSPORTATION
AUTHORITY, *et al.*,

Defendant-Intervenors.

No. 23-3885

Hon. Brian R. Martinotti

**DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT AND OPPOSITION
TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Defendants the U.S. Department of Transportation, the Federal Highway Administration (“FHWA”), Shailen Bhatt, in his official capacity as Administrator of FHWA, and Richard J. Marquis, in his official capacity as Division Administrator of the New York Division of FHWA, hereby file their opposition to Plaintiff’s Motion for Summary Judgment, ECF No. 67.

In addition, Defendants cross-move for summary judgment under Federal Rule of Civil Procedure 56. As set forth in the accompanying memorandum in support, the Court should grant summary judgment to Defendants as to all of Plaintiff's claims.

Respectfully submitted,

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Assistant Attorney General
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